

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

In re:)	
)	
AMERICAN METROCOMM)	Bankruptcy No. 00-3358 (PJW)
CORPORATION, <i>et al.</i> ,)	
)	
Debtors,)	
-----)	-----
THOMAS ABRAMS,)	
)	
Appellant,)	
v.)	Civil Action No. 04-1372 (JJF)
)	
AMC LIQUIDATING TRUST,)	
)	
Appellee.)	

DECLARATION OF JOHN D. MCLAUGHLIN, JR.

I, John D. McLaughlin, Jr., Counsel for the Trust Administrator and the AMC Liquidating Trust, the Appellee herein, make the following declaration:

1. This declaration is submitted in support of the Trust Administrator's Response in Opposition to the Appellant's Motion for Reconsider of the Final Order of this Court dated July 29, 2005.
2. I have been Counsel to the Trust Administrator since the Trust was established upon confirmation of this liquidating chapter 11 bankruptcy case.
3. I have been personally involved in litigating the disputes involving Thomas A. Abrams, the Appellant, commencing with the Estate's Objection to his Proof of Claim.
4. During the course of my representation of the Estate vis-à-vis this matter, I have had on numerous occasions attempted to discuss with Mr. Abrams the merits of his case. I

further attempted to explain to Mr. Abrams the scope of the Estate's Objection to his Proof of Claim with the intent to try to focus him on the legal issues that are being presented to the Court.

5. Mr. Abrams has repeatedly responded with allegations of securities fraud, RICO style claims and other allegations unrelated to the adjudication of his Proof of Claim.

6. Attached as Exhibits 1 through 4 are true and correct copies of email messages received from Mr. Abrams throughout this appeal period.

7. The highlighted portions of these email messages demonstrate that Mr. Abrams is solely interested in harassing the Estate into settlement rather than properly adjudicating any legitimate claims he may assert.

8. The Estate has incurred significant attorneys fees and costs in addressing Mr. Abrams spurious allegations.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on:

19 August 05


John D. McLaughlin, Jr.

EXHIBIT 1

McLaughlin, John

From: tomabrams@hotmail.com thomas [tomabrams@hotmail.com]
Sent: Tuesday, June 07, 2005 1:03 PM
To: McLaughlin, John; pvance@joneswalker.com
Subject: appeal briefing deadline - RICO litigation commencement - US Trustee Complaint

Dear Mr. McLaughlin and Mr. Vance,

I was hoping your clients would after all this time have realized firing me (for being a whistleblower about SEC/racketeering fraud between AMC, Cisco and their attorneys and the (fox-in-hen-house) "bankruptcy Administrator", Mr. Stewart, etc.) was unjust and that at very least the future wages I would have earned should have been settled on behalf of my ex-wife's and our son; notwithstanding the fact that my "settlement" was coerced by Phelps-Dunbar threatening to sue my attorney personally.

As far as I'm concerned the AMC bankruptcy is a continuing fraud and I will notify the US Trustee in this matter. Your intentions all along --AMC, Cisco and other friends and "insiders"-- were to create the illusion of a strong internet provider by "cooking the books" with CISCO's "loaned" equipment being marked as "assets" and sales so that Wall Street will jump on the company stock offerings once they went public. Only a few got rich, right?

I once sent you a copy of a RICO suit that I said will be filed. I am going to make the filings jointly in Delaware federal court and Louisiana Federal District Court (I personally know Judge Stanwood Duval and believe he will assist me with the formalities). I will also attach the RICO suit to my appeal brief.

I will file the RICO litigation also in Louisiana State Court, and will make an appearance in the court where the so-called settlement agreement between me and AMC was "approved" ex parte. I will ask the court to withdraw the judgment due to fraud/coercion/ and as a matter of law (AMC knew I was going through divorce proceedings and Louisiana law states at that point my wife and child had a separate, severed, interest in any proceeding involving my future wages).

Put simply, this matter is not going away. I've been busy on other projects, but now will set the stage for another court battle(s) as well as public debate as to CISCO Systems' involvement and role in all these high tech "bankruptcies" such as AMC's.

I do not think any statute of limitations has passed, as the original bankruptcy is a fraud and as such a continuing violation; especially in the light of my RICO allegations involving AMC and CISCO Systems--what is the limitations for felony fraud charges?

Finally, it just makes me sick to know you guys pulled the wool over the public with this bogus AMC/Cisco System ponzi scheme, then go further and file bankruptcy. The kind of money you all "earned" from all this scheme is tainted with evi. I just want (and will fight to the end of legal process to get) the remaining salary I had expected to receive as a dutiful professional honest paralegal working for the AMC corporate counsel, Dennis Kelly.

Please get back to me if there's any way we can settle this out, although Mr. McLaughlin has made it pretty clear he has no intentions to do anything except bill his clients to fight my positions. So be

8/16/2005

it: I'll see you in the courts in the years ahead.

Sincerely,
Thomas Abrams

8/16/2005

EXHIBIT 2

McLaughlin, John

From: tomabrams@hotmail.com thomas [tomabrams@hotmail.com]
Sent: Monday, June 13, 2005 1:50 PM
To: pvance@joneswalker.com
Cc: McLaughlin, John; cstewart@amccom.com; Richard.Schepacarter@usdoj.gov; ledet@orleanscdc.com; Jefferson-newsletter@newsdispatcher.com; shannon_langlois@landrieu.senate.gov; jamoss@timespicayune.com; jgill@timespicayune.com
Subject: RICO suit against AMC officers, Cisco Systems, Goldmun-Sachs...June 2005

June 13, 2005

Gentlemen:

Please note that in a few days before I file my appellate brief in opposition to the amc's administrator's summary judgment motion in Delaware's federal appeals court (due next week if I remember correctly), I will file criminal charges in delaware and new orleans u.s. district courts and *pro se*, forma pauperis suits under the "RICO Act" and other federal laws, charging racketeering, public corruption, bankruptcy fraud, SEC/securities fraud, "Ponzi"-style scheming, etc. (as I've already alleged in Delaware bankruptcy court).

Named defendants will be the Administrator and officers of the AMC bankruptcy, Cisco System's President, CEO, and other company conspirators; amc attorneys Phelps-Dunbar; financial-backers Goldmun-Sachs, Sahagen, etc.... I will also revive my state court action based on fraud and nullity, as to-date there is no final judgment in the case before Louisiana state district Judge Rosemary Ledet, who wasn't even privy to your post-suit actions.

Excuse me if I'm ultimately adjudicated incorrect, but my "legal" opinion is that the bankruptcy filing was a racketeering-type planned deal between amc officers, sachs, sahagen and other "insiders", etc, and Cisco Systems, Inc., which ultimately purchased the "litigation" files out of bankruptcy (to hide evidence of its criminal activity which had bolstered the AMC "private" offering penny stocks to the point where all insiders became instant millionaires during the dot com stock fiasco). Therefore, you all are committing "continuing" violations, for which there is no "statute of limitations" or prescription defense under RICO or federal criminal law.

Whatever you think my motive, the bottom line is I had good job which was callously "snuffed out" just because I began questioning as a professional paralegal the obvious securities/SEC fraud going on; and immediately after I informed my boss, corporate counsel dennis kelly that it was obvious AMC was set up for the sole purpose of Ponzi-type stock schemes going on at the time (i.e., Enron). Everyone -- from the very beginning, from the initial incorporation of AMC -- knew and planned the end-result would be "bankruptcy" filings so that their "inflated stock" fraud schemes can enjoy a semblance of "protection" (if not discovered, as it was) via attorney-client "privilege". I possess inside-company documents to fully support these allegation, and I never signed a confidentiality agreement with AMC so these documents are admissible evidence.

My second, just-as-legitimate, although more simple, legal point is that in Louisiana, during the separation period of a divorcing couple, the husband has no legal standing to "settle-out" my wife and son's interests in my future wage losses in respect to my whistleblower act suit filed in Judge Ledet's court. Roy Cheatwood knew this when coercing me to "settle" and all of you threatened

8/16/2005

my attorney with personal suits which caused him to withdraw and put undue pressure for me to (what u claim) "settle" the suit for a nuisance-pittance (also the un-Noticed, *ex parte* trial and order "enforcing" that so-called settlement agreement (not handled by Judge Ledet, which also makes it void) is void on its face due to many vices and defects, including allegations of continuing fraud and illegal acts by the above-mentioned RICO defendants.

Threaten me with counter-suit all you want, counsel.... The AMC/Cisco, etc. guys who started this mess, and fired me using bold-faced libel from a job with a potentially great future and salary, broke up my marriage of 6 years; my ex ran off with my son to australia and i haven't seen him in two years now, and i'm destitute and mind-wrecked from it all.....

I may not "win" - but i know i'm doing the right thing as a matter of conscience. Don't pay my undischargable \$100,000 Proof of Claim, don't even offer me a "bone" (as attorney McLaughlin insists) -- i'm still going to have my day in court(s). I owe my son that much at minimum...

I won't expect or ask u again to "settle" this ugly matter: why should you, that's "billable hours" out of your own pockets (albeit, from the trough of a fraudulently-bankrupted dot com...) I only ask that you just once think about it with your hearts instead of legaled-cluttered brains, and do the right thing -- otherwise, "See u in Court."

Regards,

Thomas Abrams
504 606-8145
p.o. box 51885
n.o., la 70015-1885
tomabrams@hotmail.com

EXHIBIT 3

McLaughlin, John

From: tomabrams@hotmail.com thomas [tomabrams@hotmail.com]
Sent: Friday, July 29, 2005 12:04 PM
To: McLaughlin, John
Cc: pvance@joneswalker.com
Subject: RE: Abrams v. AMC, address change

July 29, 2005

Mr. McLaughlin,

do u mean USDC in Wilmington (i.e., Judge Farnan)? I've noticed them, thanks. i must apologize for not being (or making myself) very familiar with federal court procedure (as u obviously know, from tone of your reply brief).

I will be filing a short response to your reply brief, along with specific citations (if u must have them) and also Motions to Designate Record, and to file brief out-of-time due to excusable errors (or whatever the term; i've just signed onto Westlaw and will draft my brief, etc., this weekend.

Finally, by the way, I have not forgotten about filing a separate RICO action, but unfortunately am currently dealing with (1) your dismissal/then summary judgment motions; (2) my son's (adjudicated-but not resolved) illegal parental abduction (to australia) by his millionaire grandparents; (3) as well as USSCt-destined appeal work involving the constitutionality of Louisiana's feudal-era "eviction" laws (a personal "crusade" against "slumlords" and a legal issue that began long before I began working for AMC).

At the same time, (4) I am being treated for clinical depression ever since the AMC situation and subsequent kidnapping of my son by his mother and Australian grandparents; (5) I am financially wrecked and apparently-"unemployable" at this time (despite my efforts to find decent work), due largely to these AMC fellows' outright-criminal lying about the reason for my discharge and the coerced-"settlement"; all of which haunts me to this day, to the point where I can/will not drop it until a final ruling from the court of last resort.

Heck, I didn't intend such a lengthy reply message...

Sincerely,

Thomas Abrams

From: "McLaughlin, John" <jmclaughlin@ycst.com>
To: <tomabrams@hotmail.com>
CC: <pvance@joneswalker.com>
Subject: RE: Abrams v. AMC, ltr, Court, re. notice of address change effective July 1, 2005
Date: Fri, 29 Jul 2005 10:11:03 -0400

8/16/2005

You must also notify the clerk of the US District Court since that is where your appeal is lodged.

Jack McLaughlin

From: tomabrams@hotmail.com thomas [mailto:tomabrams@hotmail.com]
Sent: Thursday, July 28, 2005 3:10 PM
To: McLaughlin, John
Cc: pvance@joneswalker.com
Subject: Abrams v. AMC, ltr, Court, re. notice of address change effective July 1, 2005

July 28, 2005

Dear Mr. McLaughlin and Mr. Vance,

I inadvertently let my post office box fees lapse and upon return to town learned my mail has been returned to sender as "undeliverable". If either of you sent me correspondence since June, please re-send. I have notified the Court today of my change of address (copy attached hereto).

Mr. McLaughlin, please advise whether the Court ruled on your appeal dismissal/summary judgment motions? I will, of course, be filing appeals of any adverse decisions in this matter.

Sincerely,
Thomas Abrams
att

Thomas Abrams

2705 Decatur Street

New Orleans, Louisiana 70117

(504) 606-8145

tomabrams@hotmail.com <mailto:tomabrams@hotmail.com>

Office of the Clerk

8/16/2005

United States District Court
844 North King Street, Lockbox 18
Wilmington, Delaware 19801-3570
VIA FACSIMILE: (302) 573-6435

Re: Abrams v. AMC Liquidating Trust
Civil Action No. 04-1372 (JJF)

Dear Honorable Clerk:

I have been out of town and upon return learned my local post office box was closed July 1 due to lapsed payment of dues. Will you kindly re-send to my current address any judgments, orders or other documents that may have been returned to you marked "undeliverable"?

Also, please notify the Court and also make a note in your records of my change of address? I attach hereto a Notice of Change of Address, and will send a copy of this letter/notice to all necessary parties.

Please call me if you require additional information. Thanks for your help,

Sincerely,

Thomas Abrams

Cc: John D. McLaughlin, Jr., Esq.

Patrick Vance, Esq.

8/16/2005

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF DELAWARE

In re:)

)

AMERICAN METROCOMM) Bankruptcy No. 00-3358 (PJW)

CORPORATION, et al.,)

)

Debtors,)

THOMAS ABRAMS,)

)

Appellant,)

v.)

Civil Action No. 04-1372 (JJF)

)

AMC LIQUIDATING TRUST,)

)

Appellee.)

8/16/2005

NOTICE OF CHANGE OF ADDRESS

Claimant-appellant Thomas Abrams, appearing in proper person, hereby files this Notice of Change of Address, effective July 1, 2005, as follows:

NEW ADDRESS:

THOMAS ABRAMS

2705 DECATUR STREET

NEW ORLEANS, LA 70117

Respectfully submitted,

Thomas Abrams

Thomas Abrams,
appellant pro se

8/16/2005

EXHIBIT 4

McLaughlin, John

From: tomabrams@hotmail.com thomas [tomabrams@hotmail.com]
Sent: Wednesday, August 03, 2005 2:01 PM
To: McLaughlin, John
Cc: pvance@joneswalker.com; Richard.Schepacarter@usdoj.gov
Subject: motion to reconsider

August 3, 2005

Mr. McLaughlin,

I mailed to the court and you today a Motion for Reconsideration of the July 29 Order of Dismissal; it will be interesting to see if the federal 3rd Circuit upholds Universal Minerals as to non-attorney *pro se* litigants. I seriously doubt so; but if not the US SCt will have an opportunity to address the issue.

Also, I am currently finishing-up the RICO petition to file in a few days.

Thomas Abrams

8/16/2005